

## **REMARKS**

### **Pending Claims**

Claims 26-28 and 31 have been amended. Claims 30 and 33 have been canceled without prejudice or disclaimer. Claims 1-25 and 34-37 were canceled by prior amendment. New claims 38-40 have been added. Accordingly, claims 26-29, 31-32 and 38-40 are currently pending in this application.

### **35 U.S.C. §§ 102 and 103**

Claims 26-27 and 31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dutta et al., US Pat. Appl. Pub. No. 2003/0020966 (hereafter "Dutta") in view of Schmitt, US Pat. No. 5,768,524 (hereafter "Schmitt"). Claims 28-30 and 32-33 stand rejected under 35 USC §103(a) as being unpatentable over Dutta and Schmitt, and further in view of Abdelaziz et al., Pat. Appl. Pub. No. 2003/0041141 (hereafter "Abdelaziz"). The rejections of claims 30 and 33 are moot in view of the cancellation of these claims. Furthermore, Applicants respectfully traverse the rejections of claims 26-29 and 31-32, and request reconsideration and withdrawal of the rejections for the following reasons.

The present invention, as set forth in independent claims 26, 31 and 38, is characterized by a dependent relationship between a first service provided by a first program executed on a management computer and a second service provided by a second program processed on devices connected to the management computer by

the network. For example, the second service may be a service of acquiring a file and returning the file to the management computer, while the first service may be a service of modifying the file and returning the modified file as a response to an initial request from the first computer. Thus, the first program provides additional value to the execution results of the second program by receiving the execution results of the second program and then generating its own response to the initial request. Between these programs there is such a dependency or relationship that the higher level first program utilizes the lower level second program, and the higher level first program is made open to the users at the first computer, but the lower level second program and the devices are not disclosed.

As another example, as discussed with reference to FIGS. 15-17, service utilizing program on the service utilizing device 10 send an initial request to program 69 on first service providing device 50, which sends a request to program 81 on service providing device 70. The program 81 executed at service providing device 70 provides an execution result of "device status" to the program 69 executed at first service providing device 50 (see, e.g., FIG. 17). Program 69 then utilizes the execution result received from program 81 to generate a report and sends this as its response to the initial request received from service utilizing device 10 (see, e.g., page 28, line 20, through page 29, line 17 of Applicants' specification). Since the service utilizing program on the service utilizing device 10 indirectly utilizes the

service of program 81 through the service of program 69, the service of program 81 is not disclosed (see, e.g., page 28, lines 16-19).

Dutta discloses a system for redirecting file requests in peer-to-peer data networks. A first peer node 506 that has received a data request from a client node 502 returns to the client node 502 a redirection response including information about one or more alternate peer nodes when the first peer node 506 has determined that its response would be inadequate if the first peer node 506 attempted to respond to a file request from the client node 502 (see [0057]-[0064] and FIG. 5). In particular, Dutta teaches that if the first node 506 concludes that it would provide poor service by performing a slow upload operation, then instead of performing the upload of the requested file, it can return a redirection response 532 to the requesting client node 502 (see [0064]). Thus, Dutta merely teaches that the first node 506 (presumably corresponding to Applicants' management computer) returns a list of alternate peer nodes 534 from which the requesting client node 502 can attempt to obtain the file (see [0064]). The user or the application on client peer node 502 can then select an alternate node from the information received from the first peer node 506, and attempt to download the file from the alternate node (see [0068]).

Applicants' amended independent claim 26, on the other hand, includes that "said one or more devices receive said second request, execute said second program and send the execution results to said management computer without disclosure to the first computer of said one or more devices or said second program."

This is not the case with Dutta, since the client peer node 502 receives the alternate node list 526 from the first peer node in response to the initial inquiry, and then client peer node 502 initiates contact with an alternate node selected from the alternate node list 526 (see Dutta at FIG. 5 and [0058]-[0064] and [0068]). At page 3, lines 1-4 of the Office Action, it is asserted that Dutta teaches that said plurality of devices receive said second request, execute said second program and send execution results as said results of said second request to said management computer without disclosure to the first computer of said plurality of devices or said second program, citing paragraph 0060 of Dutta. However, Applicants respectfully point out that paragraph 0060 of Dutta teaches only the gathering of information by peer node 506 with respect to a file list 522 of files that peer node 506 can share. When peer node 506 shares or uploads a copy of a file to another peer node, peer node 506 also records an identifier 528, such as an IP address, of the peer node that obtained the copy of the file, and then this identifier is stored in alternate node list 526 (see [0060]). However, as discussed above, the alternate node list 526 is shared with the client peer node 502, thereby providing client peer node 502 with the location information of alternate nodes (see [0064]). Client peer node 502 then uses the alternate node list 526 to directly contact an alternate node using a second request, rather than receiving a response from an alternate node through the first peer node 506 in response to its initial request. Accordingly, the client peer node 502 must

know of the location of the alternate peer nodes, and Dutta fails to teach or suggest the limitation of claim 26 recited above.

Additionally, Dutta fails to teach or suggest that said management computer: executes said first program and sends a second request to said one or more devices when said first program corresponds to said second program, said second request including instructions to execute said second program, receives execution results produced by the execution of said second program from one or more of said devices, uses the execution results of the second program to generate a response from execution of said first program, and sends to said first computer the response generated from execution of said first program incorporating the execution results of the second program in reply to said first request, as also recited in Applicants' amended claim 26. Dutta only teaches that the first peer node 506 receives a request for a file, determines alternate nodes that also have the file, and then sends the alternate node list to the requesting client node (see [0058]-[0064]). Thus, Applicants respectfully submit that Dutta fails to teach or suggest sending a second request to said one or more devices when said first program corresponds to said second program, since Dutta sends only a response back to the requesting client node, and does not send a second request to any of the alternate nodes. Further, Dutta fails to teach or suggest receiving execution results produced by the execution of said second program from one or more of said devices, or using the execution results to generate a response from execution of said first program. Namely,

because Dutta fails to teach a management computer that sends a second request, Dutta also fails to teach or suggest that the management computer receives execution results from a second program, or incorporates the execution results into a response generated by a first program at the management computer.

Schmitt fails to make up for the shortcomings in Dutta discussed above. Schmitt is cited as teaching a program that is executed to manage hardware resources of the plurality of devices (see Office Action at Page 4). Thus, Applicants respectfully submit that Schmitt does not teach or suggest the limitations of claim 26 discussed above. Accordingly, claim 26 is allowable over Dutta, Schmitt and the other art of record, whether taken singly, or in combination. Independent claims 31 and 38 include limitations similar to those discussed above, and are allowable for the same reasons. The remaining claims are allowable at least because they depend from an allowable base claim.

**Conclusion**

In view of the foregoing, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Colin D. Barnitz', with a stylized, sweeping flourish at the end.

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